

Notice of Allowability

Application No.

10/613,118

Examiner

Hoa Q. Pham

Applicant(s)

JOHS ET AL.

Art Unit

2877

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 3/8/06.
2. ☒ The allowed claim(s) is/are 1,3-28 and 30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. James D. Welch on 3/18/06.

2. The application has been amended as follows:

IN THE CLAIMS:

Cancel claim 2.

REASONS FOR ALLOWANCE

3. The following is a statement of reasons for the indication of allowable subject matter:

There was no prior art found by the examiner that suggested modification or combination with the cited art so as to satisfy the combination of all the limitations in claims 1, 8, 11, 21, and 22.

As to claims 1 and 8, the prior art of record, taken alone or in combination, fails to disclose or render limitations **"a plurality of electromagnetic radiation source, each thereof optionally having polarization state setting means functionally associated**

Art Unit: 2877

therewith and means for accepting at least two electromagnetic beams which approach along different loci, and providing an electromagnetic beam which exits therefrom along a single locus”, in combination with the rest of the limitations of claims 1 and 8.

As to claim 11, the prior art of record, taken alone or in combination, fails to disclose or render limitations **“at least a first and second source of electromagnetic radiation source, each thereof optionally having polarization state setting means functionally associated therewith” and “said at least a first electromagnetic beam combining means being positioned with respect to first and second sources of electromagnetic radiation such that a polarized beam of electromagnetic radiation from said first source of electromagnetic radiation, when it is energized passes through said at least a first electromagnetic beam combining means, and such that a polarized beam of electromagnetic radiation from said second source of electromagnetic radiation when it is energized, reflects from said at least a first electromagnetic beam combining means”,** in combination with the rest of the limitations of claim 11.

As to claim 21, the prior art of record, taken alone or in combination, fails to disclose or render limitations **“at least a first and a second source of electromagnetic radiation, each thereof having polarization state setting means functionally associated therewith, said polarization state setting means functionally associated with said first and said second sources of**

Art Unit: 2877

electromagnetic radiation being at azimuthal orientations offset from one another", in combination with the rest of the limitations of claim 21.

As to claims 22, the prior art of record, taken alone or in combination, fails to disclose or render limitations **"first, second, third and fourth sources of electromagnetic radiation, each thereof having polarization state setting means functionally associated therewith, said polarization state setting means functionally associated with said first second, third and fourth sources of electromagnetic radiation being at orientations offset from one another"**, in combination with the rest of the limitations of claim 22.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

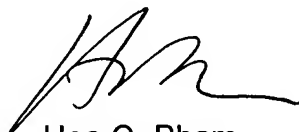
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoa Q. Pham whose telephone number is (571) 272-2426. The examiner can normally be reached on 7:30AM to 6 PM, Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr. can be reached on (571) 272-2800 ext. 77. The fax

Art Unit: 2877

phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Hoa Q. Pham
Primary Examiner
Art Unit 2877

HP
March 20, 2006